

62. (New) A hand-held vacuum comprising:

a motor housing assembly with a housing, a battery, a motor, an impeller, a power switch, and a latch, the housing defining a handle aperture and a handle, the battery being received in the housing and electrically coupled to the power switch and the motor, the motor including an output member to which the impeller is coupled for rotation, the power switch including a switch member that is mounted on the handle, the latch being mounted on the housing in-line with and forwardly of the switch member;

a dirt cup assembly with a dirt cup, an inlet and an elbow, the dirt cup having a circumferentially-extending wall that defines an open rear end and a tapered front surface, the open rear end being configured to receive therein a front portion of the housing, the inlet extending rearwardly through the tapered front surface into the dirt cup, the inlet being configured to direct air drawn there through into the dirt cup at the impeller, the elbow being coupled to an end of the inlet opposite the tapered front surface and being configured to direct air exiting the inlet in a direction both toward the circumferentially extending wall and rearwardly toward the impeller; and

a filter disposed between the impeller and the elbow, the filter also being disposed in the dirt cup and mechanically coupled to the housing;

wherein the latch releasably secures the dirt cup to the housing; and

wherein the elbow is removably coupled to the inlet port, wherein the elbow includes an attachment portion and wherein one of the attachment portion and the inlet is received into the other one of the attachment portion and the inlet to frictionally engage the elbow to the inlet, and wherein the elbow is configured to change a flow path of air exiting the inlet by an angle of less than 90°.

REMARKS

Claims 52-62 are pending in the application. Claims 17-21 and 32-51 have been canceled and Claims 52-62 are newly presented. Support for the new claims may be found throughout the written description, drawings, and claims as originally filed and as such, no new matter has been presented. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

NEWLY PRESENTED CLAIMS

Applicant submits that newly presented independent Claims 52, 61 and 62 are not taught or suggested by Ito et al. (Japanese Pat. Application No. 2002-17621; "Ito '621"), Bass et al. (U.S. Pat. No. 5,787,546), and Ito et al. (Japanese Pat. Application No. 2002-136456; "Ito '456"), whether taken alone or in combination. For example, none of the aforementioned references teaches or suggests a dirt cup with a circumferentially extending wall and a tapered front surface through which an inlet extends. As another example, none of the aforementioned references teaches or suggests a housing configuration with a switch member for a power switch that is mounted on a handle and a latch for securing a dirt cup to a housing that is mounted in-line with and forwardly of the switch member.

Accordingly, Applicant submits that Claims 52, 61 and 62 are allowable over the aforementioned references. Applicant notes that Claims 53-60 depend from Claim 52 and should be allowable for the aforementioned references for at least the reasons expressed for Claim 52.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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